

**Re: Sheldon SOB NPDES for Oil and Gas**

**Elaine Lai** to: Weston Wilson

02/02/2011 05:51 PM

From: Elaine Lai/R8/USEPA/US

To:

Cc: Peggy Livingston/R8/USEPA/US@EPA

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Thanks for taking a look and sending your thoughts so quickly. Im going to be meeting to chat briefly with Peggy about this tomorrow as she has gotten permission from her management to work with me on this.

A couple questions up front: WRA and WOC what do they stand for. I am assuming WRA is western resource advocates, but cant say i know what WOC is.

The application I received they submitted numerous letters from ranchers that indicate that those ranchers depend on that water to water their livestock. I am assuming this has been sufficient to meet the beneficial use criteria.

RE: WY Report Rule: this rule only applies to new wells that are coming on line as of September 15, 2010. All our permits we are working on have been in place since the 1960s or so, therefore exempt. Also, the disclosures that I have seen allow for the operator to list "Trade Secret" for certain compounds in their disclosure list. So may actually not be of any help with identifying ingredients.

WET: has not generally been required in any of the Wind River Permits due to political reasons and concern over backlash from the tribe in the past, but its something the producers know is coming down the line for them. They all know they will fail. We will be including this in this batch of permits. They will fail, but they will fail for different reasons if they sample 'regular' produced water vs. produced water post stimulation (frack or acid stim) . Possibility with regular produced water if they can get rid of the sulfate through aeration, they will also be able to get rid of BTEX (I am not sure the chemistry on this). Which may allow them to pass WET with regular produced water. But a whole different story with post-stimulation produced water.

Thanks for your insight on this, let's touch base when you get back from New Orleans. Though I will be out of the country from Feb 18-27....

Cheers,  
Elaine

Weston Wilson ---02/02/2011 05:37:39 PM--- here's my thoughts... The effluent guideline further requires "...that the produced water is of good

From: Weston Wilson <anwwilson@comcast.net>  
To: Elaine Lai/R8/USEPA/US@EPA  
Date: 02/02/2011 05:37 PM  
Subject: Re: Sheldon SOB NPDES for Oil and Gas

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here's my thoughts...

The effluent guideline further requires "...that the produced water is of good enough quality to be

used for wildlife or livestock watering or other agricultural uses and that the produced water is actually put to such use during periods of discharge.”

So what irrigator/rancher is actually putting this to use, 'actually put to use] doesn't mean it can be, or might be, it must be consumed, for example all the outflow goes to an irrigated hayfield -- one can't meet this test under Part 435 unless there is actual use, real use, not just a 'passing antelope or cow' walking by... see if you can find any other NPDES oil/gas discharge applications for part 435 that were denied on this basis -- ask Nathan for a tribal water quality person that may have denied an application of this basis -- try Ft. Peck or Ute Mtn Utes or Navajos.

call Carey Johnston in HQs, 202-566-1014 he worked with Brad Crowder and me on the BPJ and ELG for coal bed methane produced water -- I trust him -- ask him for other peers in Regions 9 and 10 -- also you might call Amy Mall at NRDC and ask her the same question --

second you ask the right/key question in the draft SOB, what is in the frack and acid fluids???

Since Wyoming has a reporting rule, since last Sept., requiring frack fluid chemical disclosure, has this been done here, in this field by the same company -- or perhaps done nearby in the same field by the same company but not on the Wind River Res -- the SOB should publish the actual chemicals used, their volume per frack job, % by weight of each chemical, toxicity of that chemical if known, and specify the CAS number. It (the SOB) is maddening vague right now how about when/how often fracing occurs, and no info what so ever what chemicals are in the frac fluids --

Produced water -- last permit was not to exceed 5000 ( for that passing cow again), yet the average TDS is over that --- what gives on that point?

I see in the other SOB that these discharges must pass a Whole Effluent Toxicity test. What is the WET result in the past for this same outfall? Did those little cyriadaphia live or die? Also the other SOB includes BTEX compounds, what was the BTEX results for this one == hard for me to believe that with residual oil and grease on the skim pond that this effluent could pass the less than 5 ppb benzene MCL.

also noticed that the other SOB had no citizen responses, perhaps you should call Dan Heilig of WRA or Steve Jones of WOC and see if those organizations commented on any other similar 435 permits in Wyo. -- on or off the reservation, doesn't matter.

good luck, this stuff ought to be injected, not dumped...

Wes

On Feb 2, 2011, at 2:30 PM, [Lai.Elaine@epamail.epa.gov](mailto:Lai.Elaine@epamail.epa.gov) wrote:

<Phoenix\_SheldonDome\_Field\_SOB.docx>